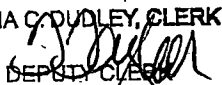


SEP 26 2018

JULIA C. OUDLEY, CLERK
BY: 
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CHARLIE GRANT STEPHENS,)	CASE NO. 7:18CV00172
)	
Plaintiff,)	
v.)	MEMORANDUM OPINION
)	
SGT. BYRD, <u>ET AL.</u> ,)	By: Glen E. Conrad
)	Senior United States District Judge
Defendants.)	

The court has directed the clerk to attempt service of process on the defendants in this prisoner civil rights action filed under 42 U.S.C. § 1983. The amended complaint alleges violations of plaintiff's right to free exercise of his religious beliefs. Plaintiff's separate motion for interlocutory injunctive relief, however, must be denied.

To obtain a preliminary injunction, a plaintiff must establish that: (1) he is likely to succeed on the merits; (2) he is likely to suffer irreparable harm in the absence of preliminary relief; (3) the balance of equities tips in his favor; and (4) an injunction is in the public interest. Winter v. Natural Res. Def. Council, 555 U.S. 7, 20 (2008). Critically, each of these four requirements must be satisfied. Id. Thus, a plaintiff must make a "clear" showing that he is likely to suffer irreparable harm absent relief. Id.

Plaintiff has moved the court to order jail officials to transfer him immediately to another jail for his safety. He asserts that jail officials are "careless," have "ignored" his safety, and have subjected him to "retaliation." Mot. 1-2, ECF No. 20. Plaintiff does not describe any event or official actions at the jail on which he bases these speculative fears of harm. Moreover, plaintiff has no constitutional right to be housed in any particular jail or prison. Olim v. Wakinekona, 461 U.S. 238, 245 (1983). Finding no factual basis for believing that plaintiff's circumstances

warrant the extraordinary relief he seeks, the court must deny his motion. An appropriate order will enter this day.

The Clerk is directed to send copies of this memorandum opinion and accompanying order to plaintiff and to counsel of record for defendants.

ENTER: This 26th day of September, 2018.



Senior United States District Judge